

## **REMARKS**

Claims 1-23 and 25-35 are pending in the Application. Claims 1-16 have been allowed in the Office action mailed August 31, 2010. Applicants express appreciation to Examiner Chowdhury for positive consideration of the claims.

Claims 17-23 and 25-35 were rejected by the instant Office action. Claims 17-23 and 25-35 are cancelled herein without prejudice or disclaimer, and new claims 36-51 are added. Applicants hereby explicitly reserve the right to re-file cancelled claims 17-23 and 25-35 in a later-filed continuing application.

Pending claims 1, 9, 36, and 44 are independent claims from which claims 2-8, 10-16, 37-43, and 36-51 depend, respectively. The Applicants respectfully request consideration of claims 36-51, in view of the following remarks.

### **Rejection of Claims**

Claims 17-23 and 25-35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 2003/0018745 ("McGowan") in view of U.S. 6,029,195 ("Herz"). Applicants respectfully traverse the rejections. Notwithstanding, Applicants have cancelled claims 17-23 and 25-35, rendering the rejections of the instant Office action moot.

### **Reasons for Allowance of Claims 1-16**

During the course of prosecution of the Application the Examiner may have provided various reasons for allowing claims 1-16. The Applicants do not agree or disagree at this time with those reasons, but respectfully reserve the right to support or

traverse those reasons should the need arise, and argue different reasons for the allowability of claims 1-16.

### **Newly Added Claims**

Applicants have added new claims 36-51. Claims 36 and 44 are independent claims from which claims 37-43 and 45-51 depend, respectively. Claims 37-51 are simply apparatus claims that correspond to, and are similar in many ways to, method claims 1-16, which have been allowed. Applicants respectfully submit that new claims 36-51 do not add new matter, and are allowable for at least the reasons set forth during prosecution.

### **Conclusion**

In general, the Office action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. However, the Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

The Applicants respectfully submit that all of claims 1-16 and 36-51 are allowable, and request that the Application be expedited to issuance. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned.

The Commissioner is authorized to charge any necessary fees, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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/Kevin E. Borg/

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